

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Leo McClam, #3147	)	
	)	
Plaintiff,	)	
	)	Civil Action No.: 3:07-3633-TLW
vs.	)	
	)	
Mr. NFN Sims, and Mr. James Sims	)	
in their own and private capacities	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

Plaintiff, Leo McClam, (“plaintiff”) brought this action seeking relief pursuant to Title 42 United States Code Section 1983 against the defendants Mr. NFN Sims and Mr. James Sims. (Doc. #1). This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Joseph R. McCrorey, to whom this case had previously been assigned. (Doc. #7). In the Report, Magistrate Judge McCrorey recommends that the District Court summarily dismiss the case *without prejudice* and without issuance and service of process. (Doc. #7). Objections to the Report were due December 11, 2007. The plaintiff filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #7) and the case is dismissed *without prejudice* and without issuance and service of process.

**IT IS SO ORDERED.**

S/Terry L. Wooten  
Terry L. Wooten  
United States District Judge

September 8, 2008  
Florence, South Carolina